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**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Board of Supervisors**

MEETING DATE <b>August 25, 2015</b>	CONTACT/PHONE <b>Stephanie Fuhs, 781-5721</b>	APPLICANT <b>James Procter</b>	FILE NO. <b>AGP2014-00012</b>
SUBJECT Proposal by James Procter to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The property consists of approximately 331 acres located within the Rural Lands land use category at 2980 Atascadero Road (Highway 41), on the southern side of Atascadero Road at the intersection with Bear Ridge Road, approximately 4.5 miles east of the City of Morro Bay. The site is in the Estero planning area and the Salinas River Sub-area of the North County planning area.			
RECOMMENDED ACTION The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to establish an agricultural preserve to the Board of Supervisors as follows:  <div style="display: flex; justify-content: space-between;"> <div> <b>Preserve Designation:</b>  <b>Minimum Parcel Size:</b>  <b>Minimum Term of Contract:</b> </div> <div> <b>Chorro Valley Agricultural Preserve No. 23</b>  <b>320 Acres</b>  <b>20 Years</b> </div> </div>			
ENVIRONMENTAL DETERMINATION A Categorical Exemption (Class 17) was issued for the project on May 7, 2015 (ED 14-237).			
LAND USE CATEGORY <b>Rural Lands</b>	COMBINING DESIGNATION <b>Flood Hazard, Geologically Sensitive Area, Sensitive Riparian Vegetation</b>	ASSESSOR PARCEL NUMBER <b>073-011-059 &amp; 060</b>	SUPERVISOR DISTRICT(S) <b>2</b>
PLANNING AREA STANDARDS: <b>None Applicable</b>		LAND USE ORDINANCE STANDARDS: <b>Section 22.22.040 &amp; Section 23.04.024c(2) – Minimum parcel size for Agriculture land use category (new agricultural preserves)</b>	
EXISTING USES: <b>Grazing</b>			
SURROUNDING LAND USE CATEGORIES AND USES: <b>North:</b> Rural Lands/Open Space – Los Padres National Forest <b>East:</b> Open Space – Los Padres National Forest <b>South:</b> Agriculture/ Rangeland <b>West:</b> Agriculture/ Rangeland and Orchards			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: <b>None</b>			
TOPOGRAPHY: <b>Gently to moderately and steeply sloping to the east</b>		VEGETATION: <b>Oak trees, grasses, riparian</b>	
PROPOSED SERVICES: <b>None required</b>		ACCEPTANCE DATE: <b>May 5, 2015</b>	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER <input type="checkbox"/> SAN LUIS OBISPO <input type="checkbox"/> CALIFORNIA 93408 <input type="checkbox"/> (805) 781-5600 <input type="checkbox"/> FAX: (805) 781-1242			

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## PROJECT REVIEW

### **Background**

The 331 acre property consists of two legal parcels, Parcel 1 and 2 of Tract 3023. The property has historically been used as grazing land. The current grazing operation supports 25 cow and calf pairs and is managed by the lessee/operator, Nick Molnar.

### **Site and Area Characteristics**

The property is located approximately 4.5 miles northeast of the city of Morro Bay. The ranch has extensive open areas with grassland and some steep hillsides with areas of dense chaparral and oak trees. Morro Creek runs from east to west through property with riparian vegetation and oak woodland on both sides of the riparian corridor. The property has a 50 gallon per minute well drilled to a depth of 60 feet. The site is also served by an intermittent spring that provides water during wetter periods of the year. The following table shows the Natural Resources Conservation Service soils rating of the site:

Land Capability Class		Irrigated Crop Suitability	Rangeland Suitability	Dry Farm Suitability	Acres
If Irrigated	Non-Irrigated				
		N/A			
NA	3, 4, 6		Well Suited	NA	117
NA	4, 6		Moderately Suited	NA	183
NA	7		Poorly Suited	NA	31
				Total	331

Exhibit A shows the location, topography, and land use designations of the site and adjacent properties.

### **Compliance with the Rules of Procedure for Agricultural Preserves**

The Rules of Procedure provide that a property must first be under an Agricultural Preserve in order to qualify for a Land Conservation Contract as an individual property. The property meets the current eligibility requirements for a Range Land Agricultural Preserve with over 320 acres of gross acreage and over 100 acres (300 acres) of Class 4, 6 and 7 soil listed as “moderately to well suited” as range land.

The property is also eligible for a Land Conservation Contract because it exceeds the minimum 320 acres required for range land contracts on 6 and 7 (or better) soils and has well over 100 acres (300) of Class 4, 6 and 7 soil listed as “moderately to well suited” as range land by the Natural Resources Conservation Service.

The appropriate minimum parcel size for the Land Conservation Contract is 320 acres and the appropriate minimum term of contract is 20 years because the site is not located within 1 mile of an urban reserve line, as specified by the Rules of Procedure.

### **Agricultural Preserve Review Committee (APRC)**

The following is an excerpt from the Minutes of the Regular Meeting of the Agricultural Preserve Review Committee held on May 18, 2015 at the SLO County Board of Supervisors Chambers, County Government Center, 1055 Monterey Street, Room D170, in San Luis Obispo, California, at 1:30 p.m.

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Stephanie Fuhs, staff: presents staff report.

James Proctor, applicant: is available for questions.

Lynda Auchinachie: asks members if they have any questions for Mr. Proctor with members having no questions.

Thereafter, on motion of Don Warden, seconded by Paul Clark and on the following roll call vote:

AYES: Don Warden, Paul Clark, Dick Nock, Irv McMillan, Paul Hoover, Lynda Auchinachie, Beverly Gingg, Royce Larsen

NOES: None

ABSENT: Jennifer Anderson, Robert Sparling, Lynn Moody, Jeff Stranlund, Bill Robeson

Following the discussion, the Agricultural Preserve Review Committee (APRC) recommends the Board of Supervisors approve this request to establish an agricultural preserve and enter into a Land Conservation Contract. Preserve Designation: Chorro Valley Agricultural Preserve No. 23. Minimum Parcel Size: 320 Acres. Minimum Term of Contract: 20 years.

## RECOMMENDATIONS

The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to establish an agricultural preserve to the Board of Supervisors as follows:

<b>Preserve Designation:</b>	<b>Chorro Valley Agricultural Preserve No. 23</b>
<b>Minimum Parcel Size:</b>	<b>320 Acres</b>
<b>Minimum Term of Contract:</b>	<b>20 Years</b>

## FINDINGS

- A. The proposed establishment of this agricultural preserve is consistent with the San Luis Obispo County General Plan, including the Land Use Element, Agriculture Element, the Conservation and Open Space Element, and the county's Rules of Procedure to Implement the California Land Conservation Act of 1965.
- B. The proposed establishment of this agricultural preserve is appropriate and consistent with the rural character of the surrounding area.

Report prepared by Stephanie Fuhs  
and reviewed by Terry Wahler  
Land Conservation Program